

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In re:	Bankruptcy No. 24-10912-amc
Thomas J Acciavatti Debtor	Chapter 13
Nationstar Mortgage, LLC Movant	Related to Doc. No.26
v. Thomas J Acciavatti Debtor/Respondent	
Scott F. Waterman, Chapter 13 Trustee Trustee/Respondent	

**NATIONSTAR MORTGAGE, LLC’S OBJECTION TO CONFIRMATION OF
DEBTOR’S FIRST AMENDED CHAPTER 13 PLAN**

Secured creditor, Nationstar Mortgage, LLC, (“Nationstar”) by and through its undersigned counsel, hereby objects to the proposed a First Amended Chapter 13 Plan of Debtor, Thomas J Acciavatti, and in support thereof alleges as follows:

1. Debtor, Thomas J Acciavatti (“Debtor”), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on March 19, 2024.
2. Nationstar holds a security interest in the Debtor’s real property located at 4009 School House Ln, Plymouth Meeting, PA 19462 (the “Property”), by virtue of a Mortgage Recorded with the Public Records of Montgomery County, PA on February 25, 2022.
3. Said Mortgage secures a Note in the amount of \$548,130.00.

4. On May 24, 2024, U.S. Bank filed its Proof of Claim under the claim (2-1) in the total amount of \$515,952.43 with pre-petition arrearage of \$2,104.21. A true and correct copy of the Proof of Claim (with all supporting documents) is attached hereto as Exhibit “A.”
5. The Proof of Claim further sets forth and itemizes a pre-petition arrearage of \$2,104.21. See Exhibit “A.”
6. On November 18, 2024, Debtor filed a First Amended Chapter 13 Plan (the “Plan”). A true and correct copy of the Plan is attached hereto as Exhibit “B.”
7. The Plan does not include a treatment of Secured Creditor’s claim. Secured Creditor objects to the Plan and seeks clarification as to Debtor’s intentions in regard to the subject property and claim.
8. The Plan fails to meet the requirements of 11 U.S.C. § 1322(b)(3) and (b)(5) and 1325(a)(5) with respect to the Secured Creditor's claim and the subject mortgage ,and therefore, fails to meet the confirmation requirements of 11 U.S.C. § 1325(a)(1) .
9. Accordingly, pursuant to 11 U.S.C.A. § 1325(a)(5) Nationstar hereby objects to Debtor’s proposed Plan due to the fact that the value of the property to be distributed thereunder will be less than the allowed amount under the claim. See 11 U.S.C.A. § 1325(a)(5)(B)(ii).

WHEREFORE, Movant, Nationstar Mortgage, LLC, (“Nationstar”), respectfully requests that this Court not confirm the First Amended Chapter 13 Plan of Debtor, Thomas J Acciavatti.

Date : 12/10/2024

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Partners, PLLC**
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Scott F. Waterman [Chapter 13], Esquire Trustee/Respondent	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 10, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

Brad J. Sadek
Sadek Law Offices, LLC
1500 JFK Boulevard,
Ste 220
Philadelphia, PA 19102

Scott F. Waterman
Chapter 13 Trustee
2901 St. Lawrence Ave.
Suite 100
Reading, PA 19606

United States Trustee
Office Of United States Trustee
Robert N.C. Nix Federal Building
900 Market Street
Suite 320
Philadelphia, Pa 19107

Thomas J Acciavatti
4009 School House Lane
Plymouth Meeting, PA 19462-1513

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